

# Notice of Allowability

Application No.

10/766,788

Examiner

Justin M. Larson

Applicant(s)

EGART ET AL.

Art Unit

3727

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment to the claims, filed 12/8/05.
2. ☒ The allowed claim(s) is/are 1,5,7-10,12-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Peter Sawicki on February 14<sup>th</sup>, 2006.

2. The application has been amended as follows:

#### ***In the Claims:***

3. In claim 1, line 4, "at a second end" has been replaced with – at a first end –.
4. In claim 1, line 9, "the first ends through the buckles" has been replaced with – the first ends, each side strap connected to the central member through the buckles –.
5. Claim 6 has been cancelled.
6. In claim 7, line 1, "claim 6" has been replaced with – claim 14 –.
7. In claim 8, line 1, "claim 6" has been replaced with – claim 14 –.
8. In claim 9, line 1, "claim 6" has been replaced with – claim 14 –.
9. In claim 9, line 2, " a central member" has been replaced with – a connector –.
10. In claim 10, line 5, "mid-section through buckles" has been replaced with – mid-section, the side straps connected to the connector through buckles –.
11. In claim 10, line 5, "portions," has been replaced with "portions with the first portion being attached to the connector and the second portion being attached to the respective side strap, –.

12. New claim 14 has been added as presented below:

– [New] A method of donning a backpack on a wearer, the backpack including a bag portion extending over a wearer's back, and only one shoulder strap extending over a shoulder of the wearer, and two side straps extending around the wearer's mid-section, the only one shoulder strap and the two side straps being connected to a connector disposed proximate the wearer's mid-section, the side straps connected to the connector through buckles that separate into first and second portions with the first portion being attached to the connector and the second portion being attached to the respective side strap, the method comprising: placing the bag portion on a wearer's back while at least one of the side straps is disconnected from the connector; positioning the connector proximate the wearer's mid-section; and connecting the at least one disconnected side strap to the connector. —.

### ***Conclusion***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin M. Larson whose telephone number is (571) 272-8649. The examiner can normally be reached on Monday - Friday, 8am - 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Newhouse can be reached on (571) 272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

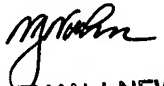
Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JML  
2/15/06

  
NATHAN J. NEWHOUSE  
SUPERVISORY PATENT EXAMINER